



APPEALS HEARING OFFICER MEETING – MINUTES

Department of Community and Economic Development
Meeting Date: September 9, 2021

The **Cottonwood Heights Appeals Hearing Officer** held a business meeting at 5:00 p.m. on **Thursday, September 9, 2021**. This meeting occurred electronically, without a physical location. Attached is the written determination of the Appeals Hearing Officer concerning an anchor location.

Present: Appeals Hearing Officer Paxton Guymon, Senior Planner Andrew Hulka, Deputy City Recorder Heather Sundquist

Others Present: Mitch Evans, Andres Salgado

5:06 p.m. BUSINESS MEETING

1.0 Welcome and Acknowledgements

Appeals Hearing Officer Paxton Guymon called the meeting to order at 5:06 p.m. He read in its entirety the declaration giving the Council the authority to hold the meeting via Zoom, pursuant to Utah Code Annotated §52-4-207(4). Hearing Officer Guymon explained the Appeals Hearing process and welcomed those in attendance.

2.0 Action Items

2.1 (Project AHO-21-001)

Action on a request from Mitch Evans (on behalf of Praxair Distribution Inc.) to add a trailer office to an existing legal non-conforming site at 6880 S. 2300 E.

Senior Planner Andrew Hulka gave an overview of the project. The applicant is proposing to install a trailer office to provide two offices and two bathrooms approximately 17 feet from the north property line near the existing building on site. The trailer will be 14'-1 13/16" tall from grade to the highest point of the roof. The trailer will be 11'-9" wide and 56' long. Steps and rails will be required to the entrance, in accordance with the 2018 International Building Code. Senior Planner Hulka explained that the three bulk storage tanks will be removed and the trailer will be placed in that location. Andrew reviewed the Code Requirements for the project and presented the Staff Analysis. The recommendation from Staff is to approve the request for an expansion of a non-conforming use with the following findings:

1. The proposal will not negatively affect the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the city because the use is the same as currently exists;
2. The proposal will not create any additional congestion in the streets or roads;
3. The proposal will not create a fire safety issue;
4. The proposal will not affect air flow or block natural light from adjoining properties by conforming with all height regulations;
5. The proposal will have no apparent negative effect on the city's tax base;
6. The proposal is in keeping with the intent of the Cottonwood Heights Zoning Ordinance;
7. The proposal does not impose any unreasonable burden on adjacent property.

Appeals Hearing Officer Paxton Guymon then asked for the applicants, Mitch Evans and Andres Salgado, to speak about the project. Andres Salgado addressed question that Officer Guymon had regarding materials stored in the bulk tanks as well as safety and hazard concerns associated with removal of the tanks.

Public Comment was received from Teresa Thornsburg and Andrew Jones, both supported the approval of the project.

Officer Guymon issued a written decision of approval for the project and instructed the applicants to work with Staff on applying for a building permit and complying with the inspection process.

3.0 Consent Agenda

3.1 Approval of September 9, 2021 Minutes

(The Appeals Hearing Officer will approve the minutes of the September 9, 2021, meeting after the following process is met. The recorder will prepare the minutes and email them to the hearing officer. The hearing officer will have five days to review the minutes and provide any changes to the recorder. If, after five days there are no changes, the minutes will stand approved. If there are changes, the process will be followed until the changes are made and the hearing officer is in agreement, at which time the minutes shall be deemed approved.)

4.0 Meeting was Adjourn at 5:24 pm

DETERMINATION OF THE APPEALS HEARING OFFICER CONCERNING AN ANCHOR LOCATION

Pursuant to UTAH CODE ANN. 52-4-207(4), the Cottonwood Heights Appeals Hearing Officer hereby determines that conducting any meetings of the Appeals Hearing Officer within 30 days after this date at an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. It is well recognized that a global pandemic currently exists related to the COVID-19 coronavirus, which has the potential to overwhelm Utah's healthcare system. Therefore, due to the state of emergency caused by the global pandemic, I find that conducting a meeting at an anchor location under the current state of public health emergency constitutes a substantial risk to the health and safety of those who may be present at the location.

Paxton R. Guymon, Esq.
Appeals Hearing Officer

September 3, 2021
Date